

DRAFT COPY
STATE FIRE COMMISSION MEETING
Oglebay Conference Center, Wheeling, WV
August 12, 2015

PLEASE NOTE: The following minutes have been provided and are considered unofficial, until they are submitted for approval at the next scheduled meeting.

The official business meeting was called to order at 0907 by Chairman Carl Sizemore.

Commissioners Present:

Dave Camp, Larry Goodwin, Grant Gunnoe, Doug Mongold, Carl Sizemore, Gary Bonnett and Virgil White

Commissioners Absent:

John Holstein, Rick Scott, Ted Shriver, Tom Keefer, Robert S. Miller, Vic Stallard

Commissioner Bonnett was named to Southeastern Association of Fire Chiefs.

Approval of Minutes:

Commissioner White made a motion to accept and approve the minutes of the June 17, 2015 regular meeting. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Committee Reports:

Training Committee Report

Did not have quorum yesterday so it is being given to the full Fire Commission meeting.

Unfinished Business- None

New Business-

Training and Standards-None

WVU Fire Service Extension- Mark Lambert 140 kids at the Junior Firefighter Camp this summer. Doing a proboard challenge for Fire Officer 1 & 2. National Fire Academy WV Weekend Classes information is on WVU Fire Service Extension website.

RESA Mike Freeman announced the ASSET Conference Commission Roundtable would be held on November 15, 2015. Will send list of approved Junior Firefighter courses to Fire Commission.

Research the differences between the FO1 & FO2 Courses and FO1 & FO2 Equivalency (Hazmat Aw / Ops) by Fire Department Service AFM Scott.

Commissioner Mongold made a motion to accept the committee's report. Commissioner Goodwin seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Disciplinary Committee Report- Under Fire Dept. Service / Executive Committee

Did not have quorum yesterday so it is being taken up by the full Fire Commission meeting during the Executive Session today.

Legislative, Codes & Regulations Committee Report

Called to Order @1310

Present Commissioners Goodwin, Camp and Sizemore

Absent Commissioners Shriver (Chair), Keefer and Miller

Old business-None

Legislative- Council Steve Connolly reported

WV Code Title 87-1, State Fire Code Filed

WV Code Title 87-4, State Building Code Filed

WV Code Title 87-7, Building Code Officials Filed

WV Code Chapter 29 Article 3 Draft will be sent to DMAPS by September 9th for review.

New business- None

Adjournment at 1312

Commissioner Mongold made a motion to accept the committee's report. Commissioner White seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Fire Department Services Committee Report

Called to order at 1004.

Members Present; Commissioners Mongold (Chair), Goodwin, Camp, Bonnett and Gunnoe.

AFM Scott from the Fire Marshal's office presented the committee with the following applications for

Fire Officer I and II.

Boyd Robinson – FO I and II

Brian Whittington- FO II

Robert Compton- FO II

Christopher Fabrizio- FO I and II

Greg Funari- FO I and II

Jason Milton- FO I and II

Paul McIntire- FO I and II

Tadd Deluca- FO I and II

Winston West- FO I and II

Jeffery Hardman- FO 1 and II

Commissioner Gunnoe made a motion to approve all of the applications and Commissioner Goodwin second the motion and it was approved.

Mr. Scott presented a list of departments that needed to be recertified because they meet all the requirements of the commission. They are as follows:

Ellamore
Kimball
Main Harts Creek
Adrian
Limestone
Winfield District
Nitro
Bramwell

Fire departments that had perfect evaluations (Certificates will be issued for perfect evaluations):

Silverton
Weirton
Lavalette
Boomer
Bedington
Nutter Fort
Wheeling

Commissioner Bonnett made a motion to approve all the department for recertification second by commissioner Gunnoe. Motion was approved.

Commissioner Bonnett made comments about the recruitment and retention.

With no other business we adjourned at 10:25am

Commissioner Gunnoe made a motion to accept the committee's report. Commissioner Bonnett seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Operations Committee Report

Called to order at 1400

Commissioners Present: Gunnoe (Chair), White, and Mongold.

Commissioners Absent: Holstein and Keefer

Old Business: None

New Business:

Policies and Procedures Manual Review- Commissioner Gunnoe stated that the Operations Committee reviewed the policies and procedures manual page by page, asked question, made suggestions and overall was complimentary of the work that has been accomplished. The Operations Committee has requested more time to review, research and make necessary changes before voting on it by the full commission. Commissioner Gunnoe stated that the Fire Commission wants the Fire Marshal's personnel to have the authority, training and compensation necessary to fulfill their duties. All the Commissioner's need to take time to review the policies and make suggestions as necessary.

Adjournment by Commissioner Gunnoe @ 1602

Deputy Fire Marshal's Division Reports given by Fire Marshal Tyree :

Fire Inspections
Fire Services

Fire Investigation

Report from Fire Marshal Ken Tyree on personnel and operations:

1. Agency Restructure –reflected in Organizational Chart; Executive Assistant reduced to Administrative Secretary by Department of Personnel (DOP); ASA 1 (which was Leslie's Old position) reduced to Office Asst 3 by DOP; Public Information Specialist (PIS) 3 reduced to PIS 2 by DOP. Alternatives left to get Salary Increase within the staff a) Tiered Rank & Pay Structure based on established training & certification; b) Pay Plan Implementation DOP process which is very laborious.
2. Renovations 2nd Floors is still in progress with the Hearing Room & a few other small renovations, estimated time of completion & relocation of the Investigation Division is Sept 5th.
3. Job Postings: Administrative Secretary; Office Assistant 3; ASA 1 (Licensing); Secretary 1 (Investigation Division) received approval for Public Information Spec. 2 & two-PIS 1; Goal of Sept 15th to fill all vacancies.
4. Community Risk Reduction (CRR) Plan project a-Analysis of Response & Call information to create a planned approach to attack the issues faced to include: fire fatality problem; 500 Smoke Alarms will be provided for use from the project. There is a chance that the CRR may be a part of the annual report and it's my expectation due to the statistics and charts that will be used, the report will be in color.
5. Fire Department Loss of Funding: The two deadlines involved are the quarter deadline and then 90 days later, the grace period deadline. Other than being decertified, not submitting their NFIRS incident reports by the prescribed due date is the only way to lose their funding. It has nothing to do with the 180 day issue. Once they miss the grace period deadline, the money is lost and reallocated to the departments that were in compliance. There is no getting it back after that.
6. House Bill (HB) 103 status update.
7. Due to the inability to get the necessary planning & staff in place the Home Safety and Smoke Alarm Rally day (one day event) will not take place this year.
8. Visit to Pendleton Co. to honor 13 year old mentally impaired youth who saved the life of his father from a campfire: honored with a certificate, an agency patch, & a 1000 lumen flashlight; I also presented the Governor's Junior Mountaineer Award (very nice medal)
9. Restructure/Reallocation of Use for General Revenue Public Education: Advertising, Contest, Better Distribution of Public Education materials, and Increased Program participation (Meet with Services Division Director: Reading Program during Fire Prevention Month: Letter & Packet to be sent to each Fire Dept., each County Superintendent, State Superintendent, & Governor's office & also a Major Media Release (before as a promotion for the Month/after with the results of the Impact): Estimated 600 packets to be sent; we'll ask that the teacher of each class take a picture & give us the name of each presenter; we'll take the list and send it out to the media to identify their participation, the grade & class & name at each school. This project I estimate will cost us \$4000 which will have a great impact. There is also an idea I'd like to see occur in April which is one Saturday set aside for a statewide Fire Dept. Open House Day
10. Resignation of Tanya Bradshaw (Services: Licensing) & Cathy Green (Fire Investigation); Temporary Upgrades: Tracy Weese, Licensing; Rose Taylor, OA 3 (Administration) New Hires: Allan Casto (Service Field Deputy); Jason Baltic (Investigation Field Deputy); Shawn Petry ASFMIT (Inspection Division); Derek Cisco (Plans Review Section); Two Temporary Positions: Receptionist & Licensing

11. Judge Webster requested more information from both attorneys on the Firework's sales court case- After more information is provided she will review and make a ruling.
12. Policies and Procedures; Reviewed by the Entire Agency and given some helpful edits; 14 Chapters Total; 1st nine chapters Agency Wide Policies; 10-14 deal with Division specific operational policies;

Commissioner Mongold asked when to expect another request for pay increase for personnel? FM Tyree said a package will be built and provide an agency wide promotion and pay increase request with the hope that a date may be given at the October Fire Commission Meeting.

Commissioner Camp made a motion to accept the committee's report. Commissioner Mongold seconded the motion. The ayes and nays having been taken on the voice vote, the motion passed.

Executive Session

Commissioner Gunnoe made a motion to go into executive session from 0945 to 1045; seconded by Commissioner Bonnett. The ayes and nays having been taken on the voice vote, the motion passed.

The Commission resumed the regular meeting at 1050.

Unfinished Business

City of Clarksburg- Court case is still awaiting a ruling by Kanawha County Circuit Court Judge Bailey.

Arson Classes- Mark Lambert will have slides for arson classes ready by the October Commission meeting.

City of Kenova- Report from FM Tyree about information supplied by Bob Cannon about monitoring of compliance based on consent order.

James Davis and Llanzee Complaint- Counsel Connolly has scheduled a Fire Commission Hearing on September 24-25 at 1207 Quarrier Street, Charleston (3rd Floor: Confirmation on location needed).

Dunbar Extension Request- Have not received any correspondence from Mr. Hugh Leishman. Commissioner Mongold made a motion to revoke their provisional status, Second by Commissioner Gunnoe. The ayes and nays having been taken on the voice vote, the motion passed.

FM Tyree request to check on letter to Mr. Leishman. Commissioner Mongold made a motion to allow the Fire Marshal to check on the letter sent to Mr. Leishman before acting on the probable cause; seconded by Commissioner Gunnoe with all the ayes and nays having been taken on a voice vote, the motion passed. (FM Tyree has confirmed that Mr. Leishman did NOT receive a letter pertaining to his status and request to attend the August Commission meeting. A letter will be sent immediately to Mr. Leishman to attend the October Commission meeting and report on his status)

Anawalt VFD Cease and Desist Order & Decertification Process- Commissioner Mongold made a motion to approve the execution of the desist order and decertification of Anawalt VFD, Second by Commissioner Gunnoe. The ayes and nays having been taken on the voice vote, the motion passed.

Keystone VFD Cease and Desist Order & Decertification Process- Commissioner White made a motion to approve the execution of the desist order and decertification of Keystone VFD, Second by Commissioner Gunnoe. The ayes and nays having been taken on the voice vote, the motion passed.

Danny Hamrick Harrison County Planning Commission Complaint- Commissioner Mongold made a motion to approve the 180 days Consent Order to get classes needed to be a single jurisdiction building official, seconded by Commissioner Goodwin. The ayes and nays having been taken on the voice vote, the motion passed.

Randy Spellman City of Bridgeport Complaint- Commissioner Bonnett made a motion to table this request pending further investigation and report back at the October Fire Commission meeting, seconded by Commissioner Goodwin. The ayes and nays having been taken on the voice vote, the motion passed.

City of Bridgeport Complaint- Tabled to October Fire Commission meeting for additional investigation.

New Business

Norwood Bentley with County Council of Berkeley County- Spoke about proposed legislative changes to get clarification on Building Code Enforcement.

Jefferson County Request- Commissioner Gunnoe made a motion to approve provisional status for their jurisdiction, Second by Commissioner Good. The ayes and nays having been taken on the voice vote, the motion passed.

2015-010-BCO- Commissioner Mongold made a motion to table until the October Fire Commission meeting pending further investigation., Second by Commissioner Camp. The ayes and nays having been taken on the voice vote, the motion passed.

2015-011-BCO- Commissioner White made a motion to find probable cause and attach to the other complaints 2015-001, 2015-003 and 2015-004, Second by Commissioner Mongold. The ayes and nays having been taken on the voice vote, the motion passed.

2015-012-BCO- Commissioner Mongold made a motion to table until the October Fire Commission meeting pending further investigation., Second by Commissioner Camp. The ayes and nays having been taken on the voice vote, the motion passed.

Commissioner White made a motion to find probable cause on 2015-038, 2015-039, 2015-040, 2015-046, 2015-047, 2015-048, 2015-049, 2015-050, 2015-053, 2015-054 and 2015-055 to give a 180 day extension; seconded by Commissioner Bonnett with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made an amendment to his motion to add the names to the probable cause on 2015-038, 2015-039, 2015-040, 2015-046, 2015-047, 2015-048, 2015-049, 2015-050, 2015-053, 2015-054 and 2015-055 to give a 180 day extension; seconded by Commissioner Gunnoe with all the ayes and nays having been taken on a voice vote, the motion passed. The following are the names:

2015-038 Fork Ridge

2015-039 Benwood
2015-040 Raysel
2015-046 Lenore
2015-047 Kermit
2015-048 River Road
2015-049 Worthington
2015-050 Bunnors Ridge
2015-053 Anmoore
2015-054 New Manchester
2015-055 Glen Dale

Fire Officer 1 & 2 applications were approved as reflected in the committee reports.

Differences between the FO1 & FO2 Courses and FO1 & FO2 Equivalency (Hazmat Aw / Ops) was discussed as reflected in the committee reports.

Recertify Fire Departments was approved as reflected in the committee reports.

Correspondence- None

Good of the Order

Commissioner Bonnett recommended that future Fire Commission Meetings be held at locations that have lodging with sprinkler systems in the rooms to promote sprinkler system safety. Chief Helms stated that Oglebay is working on installing sprinkler systems in the conference center, but it will take time.

Special Meeting Announcement

Special Meeting of the Fire Commission will be on Tuesday September 1 at 1:30pm to discuss House Bill 103 at the Fire Commission office in Charleston and that this notice is sent to the Secretary of State to be placed on the Online Meeting Notices.

Time and Place of Next Regular Meeting

Next meeting is in Charleston, WV at State Fire Marshal's Office, 1st Floor Conference Room, October 8-9, 2015

Adjournment

Commissioner Mongold made a motion to adjourn; seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.